

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2024 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

OMAR NAVARRO,
DORA ASGHARI, and
ZACHARIAS DIAMANTIDES-ABEL,

Defendants.

CR No. 23-461(A)-MCS

F I R S T
S U P E R S E D I N G
I N D I C T M E N T

[18 U.S.C. § 371: Conspiracy;
18 U.S.C. § 1343: Wire Fraud;
18 U.S.C. § 1519: Falsification
of Records; 52 U.S.C. §§ 30109(d),
30114(b)(1): Prohibited Use of
Campaign Contributions; 18 U.S.C.
§ 981(a)(1)(c) and 28 U.S.C.
§ 2461(c): Criminal Forfeiture]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At times relevant to this First Superseding Indictment:

A. BACKGROUND ON THE ELECTORAL PROCESS

1. United States citizens have a right to choose their political representatives through free and fair elections. To ensure the integrity, accountability, and transparency of federal elections, Congress enacted a series of laws governing campaign fundraising and spending. Among other things, these laws strictly regulate the use

1 of funds donated to candidates for federal office and require public
2 disclosure of the use of those funds.

3 2. Campaign funds raised by candidates and Members of Congress
4 are largely restricted to supporting the candidate's election (or re-
5 election) efforts and duties in office and cannot be used for their
6 own or their family's personal use or enjoyment. This restriction
7 helps prevent donors from exercising undue influence over candidates
8 and federal officeholders, and also protects donors from the misuse
9 of their campaign donations by candidates.

10 3. The prohibition against personal use of campaign funds
11 prohibits the disbursement of campaign funds for any expense that
12 would exist irrespective of a candidate's election campaign or duties
13 as a holder of federal office. Among other such personal expenses,
14 candidates and Members of Congress are explicitly prohibited from
15 spending campaign funds on clothing, vacations, household food items,
16 school tuition, utilities, payments to recreational facilities, and
17 entertainment not associated with the election campaign.

18 4. Federal law also requires regular disclosure of the receipt
19 and disbursement of campaign funds. Specifically, candidates for
20 election (or re-election) to the U.S. House of Representatives must
21 periodically file public reports with the Federal Election Commission
22 ("FEC") that disclose, among other things, the total amount of their
23 disbursements, as well as the recipient and purpose of any
24 expenditure totaling more than \$200 (in aggregate) during any two-
25 year election cycle. These reports provide citizens with a record of
26 the expenditure of campaign funds, provide donors with a measure of
27 accountability with regard to the use of funds, and assist voters in
28 making informed decisions at the polls.

1 5. The FEC is an independent regulatory agency of the United
2 States whose purpose is to enforce campaign finance laws in United
3 States federal elections. Among other things, the FEC -- along with
4 the Federal Bureau of Investigation ("FBI"), an agency of the United
5 States -- is responsible for investigating the potential improper use
6 of campaign funds by candidates for elected office and Members of
7 Congress.

8 B. THE OMAR NAVARRO FOR CONGRESS CAMPAIGN COMMITTEE

9 6. On or about November 18, 2015, defendant OMAR NAVARRO filed
10 an amended Statement of Candidacy (FEC Form 2) to declare his intent
11 to run in the 2016 election for the 43rd Congressional District of
12 the United States House of Representatives (the "43rd District").

13 7. The 43rd District was located entirely within Los Angeles
14 County within the Central District of California. The boundaries of
15 the 43rd District were revised in 2020 but remained entirely within
16 Los Angeles County within the Central District of California.

17 8. On or about November 18, 2015, defendant NAVARRO filed a
18 Statement of Organization (FEC Form 1) designating the "Omar Navarro
19 for Congress" campaign committee (the "Campaign") to fund his
20 campaign.

21 9. Defendant NAVARRO campaigned to represent the 43rd District
22 and was on California's nonpartisan primary ballot in the 2016
23 election, which took place on June 7, 2016. Defendant NAVARRO
24 advanced to the general election by default, which took place on
25 November 8, 2016, and lost to the incumbent.

26 10. According to the FEC, for the two-year 2016 election cycle,
27 through and including December 31, 2016, the Campaign reported total
28 receipts of \$2,846 and total disbursements of \$3,196.12.

1 11. On or about January 29, 2017, defendant NAVARRO filed an
2 amended Statement of Organization designating defendant NAVARRO as
3 Campaign Treasurer. Defendant NAVARRO has remained the Campaign
4 Treasurer on all FEC filings since then.

5 12. On or about April 5, 2017, defendant NAVARRO filed his
6 Statement of Candidacy (FEC Form 2) declaring his candidacy for the
7 43rd District in the 2018 election.

8 13. Defendant NAVARRO was on the primary ballot in the 2018
9 election, which took place on June 5, 2018, and advanced to the
10 general election after receiving the second most votes. Defendant
11 NAVARRO lost to the incumbent in the 2018 general election on
12 November 6, 2018.

13 14. According to the FEC, for the two-year 2018 election cycle,
14 through and including December 31, 2018, the Campaign reported total
15 receipts of \$1,173,123.55 and total disbursements of \$1,045,289.50.

16 15. On or about November 13, 2018, defendant NAVARRO
17 immediately declared his candidacy for the 43rd District in the 2020
18 election.

19 16. Between on or about December 12, 2019, and until on or
20 about June 25, 2020, defendant NAVARRO was in custody in San
21 Francisco, California, in connection with criminal charges brought
22 against him by the State of California alleging stalking in violation
23 of a protective order, making terroristic threats, and violating a
24 civil restraining order, among others. After entering a plea,
25 defendant NAVARRO was found guilty of one felony count of stalking,
26 in violation of California Penal Code Section 646.6(B), and one
27 misdemeanor count of making criminal threats, in violation of
28 California Penal Code Section 422. Defendant NAVARRO retained

1 Attorney A and Attorney B to perform legal services in connection
2 with these criminal matters.

3 17. While still in custody, defendant NAVARRO was on the
4 primary ballot in the 2020 election, which took place on March 3,
5 2020. Defendant NAVARRO finished third in the primary election and
6 thus was not on the ballot for the general election in 2020.

7 18. According to the FEC, for the two-year 2020 election cycle,
8 through and including December 31, 2020, the Campaign reported total
9 receipts of \$731,118.13 and total disbursements of \$856,195.98.

10 19. After his release from custody, on or about July 1, 2020,
11 defendant NAVARRO declared his candidacy for the 43rd District in the
12 2022 election.

13 20. Defendant NAVARRO was on the primary ballot in the 2022
14 election for the 43rd District, which took place on June 7, 2022, and
15 advanced to the general election after receiving the second most
16 votes. Defendant NAVARRO lost to the incumbent in the 2022 general
17 election on November 8, 2022.

18 21. According to the FEC, for the two-year 2022 election cycle,
19 through and including December 31, 2022, the Campaign reported total
20 receipts of \$85,997.53 and total disbursements of \$88,751.81.

21 22. On or about April 2, 2023, defendant NAVARRO caused to be
22 filed a Termination Report for the Campaign, which was approved by
23 the FEC on or about April 6, 2023.

24 23. Defendant NAVARRO exercised authority and control over the
25 hiring of staff or recruiting of volunteers for his Campaign as well
26 as the expenditure of funds on the Campaign's behalf, including
27 through Campaign debit cards, credit cards, checks, and
28 reimbursements, and the submission of Campaign reports to the FEC.

1 C. ADDITIONAL DEFENDANTS

2 24. Defendant DORA ASGHARI was defendant NAVARRO's mother.
3 Defendant ASGHARI would receive checks from the Campaign purportedly
4 for work on the Campaign, with such work and payments being reported
5 to the FEC. At defendant NAVARRO's direction, defendant ASGHARI
6 would repeatedly cash those checks and/or deposit those checks and
7 withdraw cash and then give at least a portion of the cash to
8 defendant NAVARRO. Defendant ASGHARI had a personal checking account
9 with U.S. Bank, N.A. and no bank account with Wells Fargo, N.A.

10 25. Defendant ZACHARIAS DIAMANTIDES-ABEL was a friend and
11 associate of defendant NAVARRO. Defendant ABEL would receive checks
12 from the Campaign purportedly for work on the Campaign, with such
13 work and payments being reported to the FEC. At defendant NAVARRO's
14 direction, defendant ABEL would repeatedly cash those checks and then
15 give at least a portion of the cash to defendant NAVARRO. Defendant
16 ABEL had a Wells Fargo personal checking account.

17 D. OTHER INDIVIDUALS AND ENTITIES

18 26. Individual A was an associate of defendant NAVARRO who
19 received checks from the Campaign purportedly for work on the
20 Campaign, when in fact Individual A had not performed the described
21 work for the Campaign. Defendant NAVARRO reported to the FEC that
22 the payments to Individual A were for work on the Campaign. Instead,
23 at defendant NAVARRO's direction, Individual A would cash those
24 checks and then give the cash to defendant NAVARRO. Individual A had
25 a personal checking account with Southland Credit Union and no bank
26 account with Wells Fargo.

27 27. Individual B was an associate of defendant NAVARRO who
28 received checks from the Campaign purportedly for work on the

1 Campaign, when in fact Individual B had not performed the described
2 work for the Campaign. Defendant NAVARRO reported to the FEC that
3 the payments to Individual B were for work on the Campaign. Instead,
4 at defendant NAVARRO's direction, Individual B would cash those
5 checks and then give the cash to defendant NAVARRO. Individual B had
6 a personal checking account with Union Bank and no bank account with
7 Wells Fargo.

8 28. Individual C performed bookkeeping services for the
9 Campaign from on or about September 5, 2017, until on or about
10 January 31, 2020. At defendant NAVARRO's direction, Individual C
11 would enter transactions from the Campaign into an FEC compliance
12 software program. Defendant NAVARRO directed Individual C to file
13 the Campaign's FEC reports based on the information defendant NAVARRO
14 provided, which were electronically signed by defendant NAVARRO as
15 Campaign Treasurer.

16 29. Individual D was in a romantic relationship with defendant
17 NAVARRO from approximately January 2019 until she attempted to end
18 the relationship in approximately April 2019. Individual D applied
19 for a restraining order on or about July 10, 2019, which was granted.
20 As described above, defendant NAVARRO was arrested on or about
21 December 8, 2019, and criminally charged with stalking Individual D
22 in violation of a protective order, making terroristic threats, and
23 violating a civil restraining order. After entering a plea,
24 defendant NAVARRO was found guilty of one felony count of stalking,
25 in violation of California Penal Code Section 646.6(B), and one
26 misdemeanor count of making criminal threats, in violation of
27 California Penal Code Section 422. Defendant NAVARRO was sentenced
28 to time served and released from custody on or about June 25, 2020.

1 30. Individual E was a friend and associate of defendant
2 NAVARRO who received checks from the Campaign purportedly for work on
3 the Campaign. Defendant NAVARRO approached Individual E about
4 cashing a check from the Campaign and giving a portion of the cash to
5 defendant NAVARRO, which Individual E declined to do.

6 31. Individual F was the Campaign's Treasurer from on or about
7 March 31, 2016, to on or about January 29, 2017.

8 32. Individual G performed bookkeeping services for the
9 Campaign from in or around February 2020 through in or around January
10 2021. At defendants NAVARRO and ASGHARI's direction, Individual G
11 would enter transactions from the Campaign into an FEC compliance
12 software program. Defendant NAVARRO directed Individual G to file
13 his Campaign's FEC reports based on the information provided by
14 defendant NAVARRO, which were electronically signed by defendant
15 NAVARRO as Campaign Treasurer.

16 33. Individual H was defendant NAVARRO's wife between on or
17 about May 10, 2014, and on or about July 10, 2019. Defendant NAVARRO
18 and Individual H shared several personal bank accounts during their
19 marriage as described further below.

20 34. The United Latino Foundation was purportedly a charitable
21 organization located in Torrance, California, that was founded and
22 controlled by defendant NAVARRO in or around February 2019.
23 Defendant NAVARRO filed for a fictitious business name record for
24 "United Latino Foundation" with the Los Angeles County Registrar-
25 Recorder on or about March 14, 2019. Defendant NAVARRO has not made
26 any filings that would establish the United Latino Foundation as a
27 nonprofit organization with either the Internal Revenue Service
28 ("IRS") or State of California.

1 35. ON Strategic Marketing was a consulting company founded and
2 controlled by defendant NAVARRO in or around March 2019. Defendant
3 NAVARRO filed for a fictitious business name record for "ON Strategic
4 Marketing" with the Los Angeles County Registrar-Recorder on or about
5 March 26, 2019. ON Strategic Marketing had no publicly available
6 internet or social media presence, no publicly available employees or
7 clients, and no publicly available sources of income or reasons for
8 expenditures.

9 36. Brava Consulting was a consulting company founded and
10 controlled by defendant ASGHARI in or around March 2019. Defendant
11 ASGHARI filed for a fictitious business name record for "Brava
12 Consulting" with the Los Angeles County Registrar-Recorder on or
13 about March 26, 2019. Brava Consulting had no publicly available
14 internet or social media presence, no publicly available employees or
15 clients, and no publicly available sources of income or reasons for
16 expenditures.

17 E. FINANCIAL BACKGROUND

18 37. On or about October 29, 2016, Individual F, who was then
19 the Campaign's Treasurer, opened a checking account ending in 2127 at
20 Wells Fargo in the name of the Campaign (the "Campaign Account").
21 The Campaign Account was opened with a deposit of \$454. Defendant
22 NAVARRO was added as a signatory on or about January 26, 2017, at
23 which time Individual F was removed as a signatory. Around this same
24 time, defendant NAVARRO became his own Treasurer and Individual F was
25 removed from that role.

26 38. On or about September 5, 2017, defendant NAVARRO added
27 Individual C as a signatory to the Campaign Account. Individual C
28 was given access to Campaign checks for the account, which Individual

1 C would write at defendant NAVARRO's direction, as well as a debit
2 card, which Individual C would only use at defendant NAVARRO's
3 direction.

4 39. On or about December 11, 2019, defendant NAVARRO added his
5 mother, defendant ASGHARI, as a signatory to the Campaign Account.
6 Defendant ASGHARI was given access to checks for the Campaign
7 Account, which she would write at defendant NAVARRO's direction, and
8 a debit card, which she would use only at defendant NAVARRO's
9 direction.

10 40. On or about March 29, 2019, defendant ASGHARI opened a
11 business checking account ending in 8921 at U.S. Bank in the name of
12 Brava Consulting (the "Brava Account"). Defendant ASGHARI was the
13 sole controller and signatory for the Brava Account.

14 41. On or about May 7, 2019, defendant NAVARRO opened a
15 business checking account ending in 8575 at Wells Fargo in the name
16 of ON Strategic Marketing (the "ON Strategic Marketing Account").
17 Defendant NAVARRO was the sole controller and signatory for the ON
18 Strategic Marketing Account.

19 42. On or about February 19, 2019, defendant NAVARRO opened a
20 business checking account ending in 9015 at Wells Fargo in the name
21 of United Latino Foundation (the "United Latino Foundation Account").
22 Defendant NAVARRO was the sole controller and signatory for the
23 United Latino Foundation Account.

24 43. Defendant NAVARRO maintained the following bank accounts
25 with Wells Fargo (collectively, the "Personal Accounts"):

26 a. A checking account ending in 5382 in the name of "Omar
27 Navarro" ("Personal Account #1"). This account was opened on
28 September 11, 2017, by defendant NAVARRO's then-wife, Individual H,

1 who added defendant NAVARRO as a joint owner to the account on June
2 8, 2018. Defendant NAVARRO took sole ownership of the account on
3 January 10, 2019, by removing Individual H from the account.

4 b. A checking account ending in 2239 in the name of "Omar
5 Navarro" and for which defendant NAVARRO was the sole signatory
6 ("Personal Account #2"). This account was opened on or about
7 September 12, 2017.

8 c. A savings account ending in 0904 in the name of "Omar
9 Navarro" and for which defendant NAVARRO was the sole signatory (the
10 "Savings Account"). This account was opened on or about November 19,
11 2018.

12 44. On or about May 11, 2015, defendant NAVARRO and his then-
13 wife Individual H filed for bankruptcy. The petition, which
14 defendant NAVARRO signed under penalty of perjury, stated that
15 defendant NAVARRO and Individual H had \$30,231 in total assets
16 comprised primarily of a car, personal property, and an expected 2014
17 tax refund of \$2,500. Defendant NAVARRO and Individual H reported
18 total cash assets of \$468 in a joint checking account. The petition
19 reported \$95,060 in total liabilities comprised primarily of credit
20 card debt, an automobile loan, and approximately \$49,000 in student
21 loans. Defendant NAVARRO indicated that he was "not employed" at the
22 time of filing. Defendant NAVARRO stated that his year-to-date gross
23 income was \$1,152 and attached a \$1,152 paystub he received from a
24 debt counseling company for 96 hours of work performed over a two-
25 week period in March and April 2015. Defendant NAVARRO also
26 indicated that he received approximately \$250 monthly in the form of
27 "help from parents." Individual H reported year-to-date income as
28

1 \$5,958.66 through Individual H's employment as a dance instructor and
2 a retail cashier.

3 45. The bankruptcy court entered an order of discharge for both
4 defendant NAVARRO and Individual H on August 24, 2015.

5 46. From on or about January 1, 2018, through on or about July
6 1, 2020, even though defendant NAVARRO had no source of outside
7 employment or income, defendant NAVARRO made or caused to be made
8 approximately \$117,313.79 in cash deposits into the Personal
9 Accounts. On the days preceding a cash deposit, defendant NAVARRO's
10 account balance typically was below \$100.

11 47. From on or about January 1, 2018, through on or about July
12 1, 2020, defendant NAVARRO amassed over \$1,000 in fees on his
13 Personal Accounts and personal credit cards for late payments on
14 credit cards, overdraft and insufficient fund fees, low balance
15 monthly service fees, cash advance fees, and account balance
16 inquiries.

17 48. These Introductory Allegations are incorporated by
18 reference into each count of this First Superseding Indictment.

COUNT ONE

[18 U.S.C. § 371]

[ALL DEFENDANTS]

A. OBJECTS OF THE CONSPIRACY

49. Beginning on a date unknown and continuing through on or about January 31, 2021, in Los Angeles County, within the Central District of California, and elsewhere, defendants OMAR NAVARRO, DORA ASGHARI, and ZACHARIAS DIAMANTIDES-ABEL ("ABEL"), together with others known and unknown to the Grand Jury, conspired and agreed with each other to knowingly, willfully, and intentionally commit offenses against the United States, namely, prohibited use of campaign contributions, in violation of Title 52, United States Code, Sections 30109(d) and 30114(b), wire fraud, in violation of Title 18, United States Code, Section 1343, and falsification of records, in violation of Title 18, United States Code, Section 1519, and to knowingly defraud the United States by impairing, obstructing, and defeating the lawful functions of a department or agency of the United States; to wit, the FEC's ability to administer federal regulations concerning source and dollar restrictions in federal elections.

B. MEANS BY WHICH THE OBJECTS OF THE CONSPIRACY WERE TO BE ACCOMPLISHED

50. The objects of the conspiracy were to be accomplished, in substance, as follows:

a. Defendant NAVARRO would illegally convert and steal Campaign funds to purchase goods and services for his personal use and enjoyment.

b. To fund his lavish lifestyle, defendant NAVARRO also would illegally transfer cash to himself by making payments from his

1 Campaign to various individuals, including defendants ABEL and
2 ASGHARI, whom he then would direct to transfer the cash back to
3 defendant NAVARRO for his personal use and enjoyment, including
4 luxury expenses.

5 c. Defendant NAVARRO would facilitate his theft of
6 Campaign funds by writing checks, or causing checks to be written, to
7 individuals purportedly for work on the Campaign, including
8 defendants ABEL and ASGHARI, so that those individuals could provide
9 cash back to defendant NAVARRO. Defendant NAVARRO would represent,
10 or cause to be represented, on those checks, and thus subsequently to
11 the FEC, that such individuals, and not defendant NAVARRO, had
12 received payment from the Campaign for their services.

13 d. Defendants ABEL and ASGHARI would further conceal the
14 misdirection of Campaign funds by frequently cashing the checks
15 rather than depositing the checks directly into their personal
16 accounts, or if a check was deposited, quickly making a cash
17 withdrawal shortly thereafter. In total, between December 2017 and
18 June 2020, defendant ABEL purportedly earned \$49,260 from the
19 Campaign, and defendant ASGHARI purportedly earned \$39,650 from the
20 Campaign, according to checks defendant NAVARRO wrote or caused to be
21 written to defendants ABEL and ASGHARI from the Campaign Account.

22 e. Defendants NAVARRO and ASGHARI would also form sham
23 companies to further conceal the flow of funds from the Campaign to
24 defendants NAVARRO and ASGHARI. Specifically, defendant ASGHARI
25 created Brava Consulting, which received \$18,975.15 from the Campaign
26 from March 2019 and June 2020, according to checks defendant NAVARRO
27 wrote or caused to be written to Brava Consulting. Defendant NAVARRO
28 formed ON Strategic Marketing and the United Latino Foundation, which

1 would receive funds from defendant ASGHARI, defendant ASGHARI's
2 company, Brava Consulting, or the Campaign directly, but which would
3 ultimately be spent or withdrawn as cash by defendant NAVARRO.

4 f. Defendant NAVARRO would conceal and disguise the
5 personal nature of many of his expenditures of Campaign funds by
6 falsely stating in the memo lines of the checks he provided to
7 Individual C and Individual G a purported Campaign-related purpose
8 for the expenditures, which defendant NAVARRO then caused to be
9 submitted to the FEC as an official explanation for the expenditure
10 of Campaign funds.

11 C. OVERT ACTS

12 51. In furtherance of the conspiracy and to accomplish its
13 objects, on or about the following dates, defendants NAVARRO,
14 ASGHARI, and ABEL, and others known and unknown, committed various
15 overt acts within the Central District of California, and elsewhere,
16 including, but not limited to, the following:

17 Overt Act No. 1: On September 22, 2017, Individual B cashed
18 check 1019 for \$1,250 from the Campaign Account, which defendant
19 NAVARRO had written and included "video editing" on the memo line of
20 the check.

21 Overt Act No. 2: On September 22, 2017, defendant NAVARRO
22 made two cash deposits of \$830 and \$100, respectively, into Personal
23 Account #2.

24 Overt Act No. 3: On December 12, 2017, defendant NAVARRO
25 texted Individual B asking if Individual B wanted "to make \$100
26 bucks," and the two then texted to coordinate plans to meet.

27 Overt Act No. 4: On December 13, 2017, Individual B deposited
28 and/or cashed check 1137 for \$700 from the Campaign Account, which

1 defendant NAVARRO had written and included "video editing/website" on
2 the memo line of the check.

3 Overt Act No. 5: On December 15, 2017, defendant NAVARRO
4 texted Individual B, "can you send me the \$400?" Individual B
5 instructed defendant NAVARRO to make a Venmo account.

6 Overt Act No. 6: On December 16, 2017, Individual B
7 transferred \$400 to defendant NAVARRO's Venmo account, which
8 defendant NAVARRO then transferred to Personal Account #2.

9 Overt Act No. 7: On January 2, 2018, defendant NAVARRO texted
10 defendant ABEL, "[w]ant to make some money reach out."

11 Overt Act No. 8: On January 2, 2018, at approximately 11:27
12 p.m., defendant ABEL deposited check 1146 for \$1,000 from the
13 Campaign Account at a Wells Fargo ATM on Hawthorne Boulevard in
14 Torrance, California ("Hawthorne ATM"), which defendant NAVARRO had
15 written and included "office work/phone calls" on the memo line of
16 the check.

17 Overt Act No. 9: On January 2, 2018, at approximately 11:34
18 p.m., defendant ABEL withdrew \$300 cash from the Hawthorne ATM, and
19 at approximately 11:37 p.m., defendant NAVARRO deposited \$310 cash
20 into Personal Account #2 at the Hawthorne ATM.

21 Overt Act No. 10: On January 3, 2018, shortly after midnight
22 at approximately 12:18 a.m., defendant ABEL withdrew another \$300
23 cash at the Hawthorne ATM, and at approximately 1:19 a.m., defendant
24 NAVARRO made another cash deposit of \$300 into Personal Account #2 at
25 the Hawthorne ATM.

26 Overt Act No. 11: On January 22, 2018, defendant ABEL cashed
27 check 1148 for \$1,540 from the Campaign Account, which defendant
28

1 NAVARRO had written and included "signature
2 gathering/walking/assisting" on the memo line of the check.

3 Overt Act No. 12: On January 23, 2018, defendant NAVARRO
4 deposited \$900 cash into Personal Account #2.

5 Overt Act No. 13: On March 26, 2018, defendant NAVARRO texted
6 defendant ABEL, "[w]ant to get paid today," and in subsequent
7 messages defendants NAVARRO and ABEL coordinated meeting up.

8 Overt Act No. 14: On March 26, 2018, defendant ABEL cashed
9 check 1052 for \$1,120 from the Campaign Account, which defendant
10 NAVARRO had written and included "walking" on the memo line of the
11 check.

12 Overt Act No. 15: On March 27, 2018, defendant NAVARRO made
13 two cash deposits of \$908 and \$101, respectively, into Personal
14 Account #2.

15 Overt Act No. 16: On April 26, 2018, defendant ABEL cashed
16 check 1065 for \$1,500 from the Campaign Account, which defendant
17 NAVARRO had written and included "assistant" on the memo line of the
18 check.

19 Overt Act No. 17: On April 26, 2018, defendant NAVARRO made
20 two cash deposits of \$1,200 and \$105, respectively, into Personal
21 Account #2.

22 Overt Act No. 18: On April 30, 2018, defendant ABEL cashed
23 check 1054 for \$3,500 from the Campaign Account, which defendant
24 NAVARRO had written and included "mailer/walking/printing" on the
25 memo line of the check.

26 Overt Act No. 19: On May 1, 2018, defendant NAVARRO deposited
27 \$3,000 cash into Personal Account #2.

1 Overt Act No. 20: On June 26, 2018, defendant ABEL cashed
2 check 1096 for \$2,200 from the Campaign Account, which defendant
3 NAVARRO had written and included "assistant" on the memo line of the
4 check.

5 Overt Act No. 21: On June 26, 2018, defendant NAVARRO
6 deposited or caused to be deposited \$1,200 cash into Personal Account
7 #1.

8 Overt Act No. 22: On June 29, 2018, defendant NAVARRO wrote a
9 check for \$1,000 from the Campaign Account to Individual E and
10 directed Individual E to cash the check and give \$700 cash to
11 defendant NAVARRO. Individual E refused.

12 Overt Act No. 23: On July 24, 2018, defendant ASGHARI
13 deposited and/or cashed check 1087 for \$6,000 from the Campaign
14 Account, which defendant NAVARRO had written and included "sign put
15 up and take down and events coordinator" on the memo line of the
16 check.

17 Overt Act No. 24: On July 26, 2018, defendant NAVARRO
18 deposited or caused to be deposited \$1,720 cash into Personal Account
19 #1 and deposited an additional \$200 cash into Personal Account #1.

20 Overt Act No. 25: On August 1, 2018, defendant ABEL deposited
21 check 1077 for \$1,850 from the Campaign Account, which defendant
22 NAVARRO had written and included "assistant" on the memo line of the
23 check, and in doing so deposited \$500 into defendant ABEL's own
24 account and withdrew \$1,350 cash.

25 Overt Act No. 26: On August 1, 2018, defendant NAVARRO
26 deposited \$4,048.79 into Personal Account #2.

27 Overt Act No. 27: On August 2, 2018, defendant ABEL cashed
28 check 1079 for \$3,150 from the Campaign Account, which defendant

1 NAVARRO had written and included "\$1850 Additional to bonus" on the
2 memo line of the check.

3 Overt Act No. 28: On November 7, 2018, defendant ASGHARI
4 cashed check 1072 for \$3,000 from the Campaign Account, which
5 defendant NAVARRO had written and included "coordinating" on the memo
6 line of the check.

7 Overt Act No. 29: On November 9, 2018, defendant NAVARRO
8 deposited \$1,500 cash into Personal Account #1.

9 Overt Act No. 30: On November 19, 2018, defendant NAVARRO made
10 two cash deposits of \$2,280 and \$800, respectively, into Personal
11 Account #1. Defendant NAVARRO also deposited \$800 cash into his
12 Savings Account.

13 Overt Act No. 31: On November 20, 2018, defendant NAVARRO
14 deposited \$5,000 cash into his Savings Account.

15 Overt Act No. 32: On November 23, 2018, defendant NAVARRO made
16 two cash deposits of \$500 and \$2,000 into Personal Account #1 and his
17 Savings Account, respectively.

18 Overt Act No. 33: On December 2, 2018, defendant NAVARRO spent
19 \$270 in Campaign funds to purchase a gift card from Target, which he
20 later used to purchase personal items, including two Nintendo Switch
21 games, toilet paper, and groceries.

22 Overt Act No. 34: On December 3, 2018, defendant NAVARRO
23 deposited \$4,000 into Personal Account #1.

24 Overt Act No. 35: On December 31, 2018, defendant NAVARRO
25 spent \$586.38 from Campaign funds for a personal social party at the
26 Hermosa Beach House.

27 Overt Act No. 36: Between January 6, 2019, and January 8,
28 2019, defendant NAVARRO spent \$2,630.12 from Campaign funds for a

1 personal trip for himself and Individual D at the Bellagio Hotel in
2 Las Vegas, Nevada.

3 Overt Act No. 37: On February 14, 2019, defendant NAVARRO
4 spent \$219.99 from Campaign funds for a personal dinner with his
5 then-girlfriend Individual D at Carmine's in Washington, D.C.

6 Overt Act No. 38: On February 19, 2019, defendant NAVARRO
7 opened the United Latino Foundation Account, a business checking
8 account, at a Wells Fargo bank in Alexandria, Virginia.

9 Overt Act No. 39: On February 19, 2019, defendant NAVARRO
10 wrote check 1003 from the Campaign Account to the United Latino
11 Foundation for \$3,000 and deposited it into the United Latino
12 Foundation Account at a Wells Fargo bank in Alexandria, Virginia.

13 Overt Act No. 40: On February 25, 2019, defendant NAVARRO
14 withdrew \$1,500 cash from the United Latino Foundation Account at a
15 Wells Fargo bank in Alexandria, Virginia, and deposited \$1,000 cash
16 into Personal Account #1.

17 Overt Act No. 41: On March 1, 2019, defendant NAVARRO made two
18 cash deposits of \$4,300 and \$500 into Personal Account #1 and his
19 Savings Account, respectively, at a Wells Fargo bank in Washington,
20 D.C.

21 Overt Act No. 42: On March 8, 2019, defendant NAVARRO withdrew
22 \$203 cash at an ATM from the United Latino Foundation Account.

23 Overt Act No. 43: On March 14, 2019, defendant NAVARRO filed
24 for a fictitious business name record for "United Latino Foundation"
25 with the Los Angeles County Registrar-Recorder.

26 Overt Act No. 44: On March 16, 2019, defendant NAVARRO spent
27 \$418.74 from Campaign funds for a personal vacation with his then-
28

1 girlfriend Individual D and a relative at the Ponte Vineyard Inn in
2 Temecula, California.

3 Overt Act No. 45: On March 26, 2019, defendant NAVARRO filed
4 for a fictitious business name record for "ON Strategic Marketing"
5 with the Los Angeles County Registrar-Recorder.

6 Overt Act No. 46: On March 26, 2019, defendant ASGHARI filed
7 for a fictitious business name record for "Brava Consulting" with the
8 Los Angeles County Registrar-Recorder.

9 Overt Act No. 47: On March 29, 2019, defendant ASGHARI opened
10 the Brava Account, a business checking account, at U.S. Bank.

11 Overt Act No. 48: On March 29, 2019, defendant ASGHARI
12 deposited check 1007 for \$3,200 from the Campaign Account into the
13 Brava Account, which defendant NAVARRO had written and included
14 "consulting" on the memo line of the check.

15 Overt Act No. 49: On April 1, 2019, defendant NAVARRO and
16 Individual A went to a Wells Fargo bank on Crenshaw Boulevard in
17 Torrance, California, and Individual A cashed check 1006 for \$4,000
18 from the Campaign Account, which defendant NAVARRO had written and
19 included "assistant" on the memo line of the check. At defendant
20 NAVARRO's direction, Individual A gave the \$4,000 cash to defendant
21 NAVARRO.

22 Overt Act No. 50: On April 1, 2019, defendant NAVARRO
23 deposited \$3,000 cash at a Wells Fargo bank on Crenshaw Boulevard in
24 Torrance, California, into Personal Account #1.

25 Overt Act No. 51: On April 5, 2019, via text message,
26 defendant NAVARRO advised Individual C, who was preparing an FEC
27 filing on behalf of defendant NAVARRO, that Individual A was an
28 "assistant" for the Campaign. Individual C responded that defendant

1 NAVARRO needed to be more specific and suggested the description
2 "Field Director," to which defendant NAVARRO replied, "yes."

3 Overt Act No. 52: Between April 10, 2019, and April 12, 2019,
4 defendant NAVARRO spent approximately \$787.72 from Campaign funds for
5 a personal trip with his then-girlfriend Individual D to Las Vegas,
6 California, including purchases at the Eiffel Tower Restaurant for
7 \$511.43, the MGM Grand for \$251.37, and P.F. Chang's for \$24.92.

8 Overt Act No. 53: On April 22, 2019, defendant NAVARRO
9 withdrew \$1,200 cash from the United Latino Foundation Account.

10 Overt Act No. 54: On April 22, 2019, and April 23, 2019,
11 defendant NAVARRO made two cash deposits of \$500 and \$300,
12 respectively, into his Savings Account.

13 Overt Act No. 55: On April 24, 2019, defendant NAVARRO and
14 Individual A went to a Wells Fargo bank, and Individual A cashed
15 check 1021 for \$3,000 from the Campaign Account, which defendant
16 NAVARRO had written and included "website modifaction [sic]" on the
17 memo line of the check. At defendant NAVARRO's direction, Individual
18 A gave the \$3,000 cash to defendant NAVARRO.

19 Overt Act No. 56: On April 26, 2019, defendant ASGHARI
20 deposited check 1009 for \$3,000 from the Campaign Account into the
21 Brava Account, which defendant NAVARRO had written and included
22 "direct mail postcards" on the memo line of the check.

23 Overt Act No. 57: On April 30, 2019, defendant ABEL cashed
24 check 1016 for \$3,000 from the Campaign Account, which defendant
25 NAVARRO had written and included "assistant/3/14 4/14" on the memo
26 line of the check.

27 Overt Act No. 58: On May 1, 2019, defendant NAVARRO made two
28 cash deposits of \$300 and \$2,000 into his Savings Account and

1 Personal Account #1, respectively, at a Wells Fargo bank in Torrance,
2 California.

3 Overt Act No. 59: On May 7, 2019, defendant NAVARRO opened the
4 ON Strategic Marketing Account, a business checking account, at Wells
5 Fargo, falsely claiming to have annual gross sales of \$48,000.

6 Overt Act No. 60: On May 10, 2019, defendant ASGHARI issued
7 check 1001 from the Brava U.S. Bank Account to ON Strategic Marketing
8 for \$1,200 with "marketing" on the memo line, which defendant NAVARRO
9 then deposited into the ON Strategic Marketing Account the same day.

10 Overt Act No. 61: On May 13, 2019, defendant NAVARRO withdrew
11 \$300 cash from the ON Strategic Marketing Account at an ATM in
12 Washington, D.C.

13 Overt Act No. 62: On May 14, 2019, defendant NAVARRO made two
14 cash withdrawals at ATMs in Las Vegas, Nevada, of \$207.99 and
15 \$307.99, respectively, from the ON Strategic Marketing Account.

16 Overt Act No. 63: On May 14, 2019, defendant NAVARRO withdrew
17 \$300 cash at a Wells Fargo bank from the ON Strategic Marketing
18 Account at an ATM in Las Vegas, Nevada.

19 Overt Act No. 64: On May 14, 2019, defendant NAVARRO deposited
20 \$300 cash into Personal Account #1.

21 Overt Act No. 65: On May 15, 2019, defendant ABEL cashed check
22 1023 for \$2,500 from the Campaign Account, which defendant NAVARRO
23 had written and included "assistant" on the memo line of the check.

24 Overt Act No. 66: On May 15, 2019, defendant NAVARRO deposited
25 \$1,500 cash at an ATM in Las Vegas, Nevada, into Personal Account #1.

26 Overt Act No. 67: On May 15, 2019, defendant NAVARRO withdrew
27 \$147.99 at an ATM in Las Vegas, Nevada, from the United Latino
28 Foundation Account.

1 Overt Act No. 68: On May 22, 2019, defendant NAVARRO and
2 Individual A went to a Wells Fargo bank, and Individual A cashed
3 check 1017 for \$2,000 from the Campaign Account, which defendant
4 NAVARRO had written and included "literature distribution" on the
5 memo line of the check. At defendant NAVARRO's direction, Individual
6 A then gave \$2,000 cash to defendant NAVARRO.

7 Overt Act No. 69: On May 23, 2019, defendant NAVARRO deposited
8 \$1,206 cash into Personal Account #1.

9 Overt Act No. 70: On June 3, 2019, defendant ASGHARI deposited
10 check 1022 for \$2,000 from the Campaign Account into the Brava
11 Account, which defendant NAVARRO had written and included "2nd
12 mailing" in the memo line of the check.

13 Overt Act No. 71: On June 4, 2019, defendant NAVARRO deposited
14 check 1002 for \$1,100 from the Brava Account into the ON Strategic
15 Marketing Account, which defendant ASGHARI had written and included
16 "marketing" on the memo line.

17 Overt Act No. 72: On June 5, 2019, defendant NAVARRO
18 transferred \$1,000 from the ON Strategic Marketing Account to
19 Personal Account #1.

20 Overt Act No. 73: On June 5, 2019, defendant NAVARRO and
21 Individual A went to a Wells Fargo bank, and Individual A cashed
22 check 3002 for \$2,500 from the Campaign Account, which defendant
23 NAVARRO had written with no description on the memo line of the
24 check. At defendant NAVARRO's direction, Individual A then gave
25 \$2,500 cash to defendant NAVARRO.

26 Overt Act No. 74: On June 10, 2019, defendant NAVARRO wrote
27 check 1003 for \$2,000 from the Campaign Account to the United Latino
28

1 Foundation, which he deposited into the United Latino Foundation
2 Account the same day.

3 Overt Act No. 75: On June 10, 2019, defendant NAVARRO withdrew
4 \$2,000 cash from the United Latino Foundation Account.

5 Overt Act No. 76: On June 10, 2019, defendant NAVARRO
6 deposited \$700 cash into Personal Account #1.

7 Overt Act No. 77: On June 10, 2019, defendant NAVARRO withdrew
8 \$100 cash from the ON Strategic Marketing Account.

9 Overt Act No. 78: On June 14, 2019, defendant NAVARRO
10 deposited \$2,700 cash into Personal Account #1.

11 Overt Act No. 79: On June 21, 2019, defendant NAVARRO withdrew
12 \$300 cash from the United Latino Foundation Account.

13 Overt Act No. 80: On June 26, 2019, defendant ABEL cashed
14 check 1020 for \$2,000 from the Campaign account, which defendant
15 NAVARRO had written and included "signature gatherer" on the memo
16 line of the check.

17 Overt Act No. 81: On June 26, 2019, defendant NAVARRO spent
18 \$750 from Campaign Funds to pay a private investigator ("Private
19 Investigator") hired by defendant NAVARRO to surveil his ex-
20 girlfriend, Individual D.

21 Overt Act No. 82: On June 27, 2019, defendant NAVARRO
22 deposited \$2,701 cash into Personal Account #1.

23 Overt Act No. 83: On June 30, 2019, when Individual C asked
24 defendant NAVARRO via text message, "[w]hat was the \$750 to [the
25 Private Investigator]," defendant NAVARRO responded, "[l]ooking into
26 some info on [Public Official A] between you and me," to which
27 Individual C responded, "[o]k I'll call it opposition research."
28

1 Overt Act No. 84: On July 15 and July 16, 2019, Individual C
2 texted defendant NAVARRO asking, "[w]hat's Brava consulting? Do you
3 know where they are located?" to which defendant NAVARRO replied,
4 "[y]es. Let me get the address" and "social media promotion."

5 Overt Act No. 85: On July 25, 2019, defendant ASGHARI texted
6 defendant NAVARRO, "Hi hijo please remember that tomorrow I need that
7 thing. Please," to which defendant NAVARRO responded, "[o]k" and
8 defendant ASGHARI added "I love you hijo, if you need it I can give
9 it back to you in two weeks."

10 Overt Act No. 86: On July 26, 2019, defendant ASGHARI
11 deposited check 2503 for \$1,200 from the Campaign Account into her
12 U.S. Bank account, which defendant NAVARRO had written and included
13 no description on the memo line of the check.

14 Overt Act No. 87: On July 26, 2019, defendant ABEL texted
15 defendant NAVARRO, "[t]here's people messaging me threatening me.
16 You need to pay those taxes like we talked about right away to cover
17 both our assess. It can't wait," to which NAVARRO replied, "Call
18 me," and "Don't text me."

19 Overt Act No. 88: On July 27, 2019, defendant NAVARRO texted
20 defendant ABEL, "I'll pay you if you help me do some stuff goths . .
21 . Today . . . Can you send me the screen shots from [a former
22 Campaign staffer] . . . Need them for court." Defendant ABEL
23 replied, "I'm down but cash only now. No more checks."

24 Overt Act No. 89: Between August 6, 2019, and September 12,
25 2019, defendant NAVARRO spent \$3,300 from Campaign funds to pay
26 Attorney A, who represented defendant NAVARRO in connection with a
27 restraining order that had been filed against defendant NAVARRO by
28 Individual D.

1 Overt Act No. 90: On August 30, 2019, defendant ASGHARI texted
2 defendant NAVARRO to “[j]ust bring the thing so I can go tomorrow
3 very early to the place I don’t want to be late for my responsibility
4 of the first,” to which defendant NAVARRO responded, “ok.”

5 Overt Act No. 91: On September 3, 2019, defendant ASGHARI
6 cashed check 1003 for \$2,400 from the Campaign Account, which
7 defendant NAVARRO had written and included no memo line on the check.

8 Overt Act No. 92: On September 20, 2019, Individual B cashed
9 check 1253 for \$1,100 cash from the Campaign Account, which defendant
10 NAVARRO had written and included “paid walking” on the memo line of
11 the check.

12 Overt Act No. 93: On September 20, 2019, defendant NAVARRO
13 deposited \$400 cash into Personal Account #1.

14 Overt Act No. 94: On September 30, 2019, defendant NAVARRO
15 spent \$1,000 from Campaign Funds to pay the Private Investigator to
16 surveil his ex-girlfriend, Individual D.

17 Overt Act No. 95: On October 22, 2019, Individual B cashed
18 check 1202 for \$1,200 from the Campaign Account, which defendant
19 NAVARRO had written and included no description in the memo line of
20 the check.

21 Overt Act No. 96: On October 22, 2019, defendant NAVARRO
22 deposited \$750 cash into Personal Account #1.

23 Overt Act No. 97: On November 18, 2019, defendant ASGHARI
24 cashed check 1263 for \$2,500 from the Campaign Account, which
25 defendant NAVARRO had written and included no description in the memo
26 line of the check.

1 Overt Act No. 98: On November 19, 2019, defendant NAVARRO made
2 three cash deposits of \$60, \$580, and \$1,700, respectively, into
3 Personal Account #1.

4 Overt Act No. 99: On December 3, 2019, defendant ASGHARI
5 cashed check 1204 for \$3,000 from the Campaign Account, which
6 defendant NAVARRO had written and included no description on the memo
7 line of the check.

8 Overt Act No. 100: On December 4, 2019, defendant NAVARRO made
9 two cash deposits of \$1,600 and \$500, respectively, into Personal
10 Account #1.

11 Overt Act No. 101: On December 10, 2019, defendant NAVARRO
12 spent \$257.98 from Campaign funds for a Southwest Airlines ticket for
13 Attorney A to travel to San Francisco, and \$219.30 from Campaign
14 funds for an American Airlines flight for Attorney A to travel back
15 to Los Angeles, in connection with defendant NAVARRO's criminal
16 stalking case.

17 Overt Act No. 102: On December 11, 2019, defendant ASGHARI
18 deposited check 1206 for \$2,500 from the Campaign Account into the
19 Asghari U.S. Bank Account, which defendant NAVARRO had written and
20 included no description on the memo line of the check, and defendant
21 ASGHARI immediately withdrew \$1,000 cash.

22 Overt Act No. 103: On December 11, 2019, defendant NAVARRO
23 deposited \$1,000 and \$85 in cash, respectively, into Personal Account
24 #1.

25 Overt Act No. 104: On December 16, 2019, defendant NAVARRO and
26 defendant ASGHARI spent \$355.96 from Campaign funds for a Southwest
27 Airlines ticket for Attorney A to travel to and from San Francisco in
28 connection with defendant NAVARRO's criminal stalking case.

1 Overt Act No. 105: On December 19, 2019, defendant ASGHARI
2 caused check 1098 for \$2,000 to be written to Attorney A from the
3 Asghari U.S. Bank Account.

4 Overt Act No. 106: On January 6, 2020, defendant ASGHARI
5 deposited check 1201 for \$3,000 from the Campaign Account into the
6 Asghari U.S. Bank Account, which defendant NAVARRO had written while
7 in custody in connection with his criminal stalking case and included
8 "assistant" on the memo line of the check.

9 Overt Act No. 107: On January 7, 2020, defendant ASGHARI wrote
10 a check for \$250 from the Asghari U.S. Bank Account to Attorney B,
11 who also represented defendant NAVARRO in connection with defendant
12 NAVARRO's criminal stalking case.

13 Overt Act No. 108: On January 17, 2020, defendant NAVARRO and
14 defendant ASGHARI spent \$3,500 from Campaign funds to pay Attorney B.

15 Overt Act No. 109: Between January 17, 2020, and January 21,
16 2020, defendant ASGHARI wrote two checks totaling \$4,000 from the
17 Asghari U.S. Bank Account to Attorney B.

18 Overt Act No. 110: On January 24, 2020, on a recorded jail
19 call, defendant NAVARRO told defendant ASGHARI to pay herself \$1,500
20 from the Campaign as a "salary." When defendant ASGHARI said, "you
21 don't have to," defendant NAVARRO replied, "just do that - do that
22 \$1,500, okay? . . . when I get out, I'll ask treasurer to report all
23 that . . . They make so much money from me . . . they're going to do
24 anything I ask them."

25 Overt Act No. 111: On February 14, 2020, defendants NAVARRO and
26 ASGHARI spent \$4,750 from Campaign funds to pay Attorney B.

27 Overt Act No. 112: On March 9, 2020, defendant ASGHARI cashed
28 check 1218 for \$1,650 cash from the Campaign Account, which defendant

1 ASGHARI had written to herself while defendant NAVARRO was in custody
2 and included "Assistant Jan 7, to Jan 25" on the memo line of the
3 check.

4 Overt Act No. 113: On March 16, 2020, defendants NAVARRO and
5 ASGHARI spent \$2,922.99 from Campaign funds to pay Attorney B.

6 Overt Act No. 114: On March 25, 2020, defendant ASGHARI
7 deposited check 1222 for \$3,700 from the Campaign Account to the
8 Brava Account, which defendant ASGHARI had written and included no
9 description in the memo line of the check.

10 Overt Act No. 115: On April 21, 2020, defendants NAVARRO and
11 ASGHARI spent \$2,500 from Campaign funds to pay Attorney B.

12 Overt Act No. 116: On May 4, 2020, defendant ASGHARI deposited
13 check 1224 for \$1,400 from the Campaign Account to the Brava Account,
14 which defendant ASGHARI had written "consulting" on the memo line of
15 the check.

16 Overt Act No. 117: On June 10, 2020, defendant ASGHARI
17 deposited check 1227 for \$5,675.15 from the Campaign Account to the
18 Brava Account, which defendant ASGHARI had written and included
19 "consulting fee" on the memo line of the check.

20 Overt Act No. 118: On June 29, 2020, defendant NAVARRO and
21 Individual A went to a Wells Fargo bank, and Individual A cashed
22 check 1025 for \$4,000 from the Campaign Account, which defendant
23 NAVARRO had written and included "phone calls/logistical support" on
24 the memo line of the check. At defendant NAVARRO's direction,
25 Individual A then gave \$4,000 cash to defendant NAVARRO.

26 Overt Act No. 119: On June 29, 2020, defendant NAVARRO
27 deposited \$4,300 cash into Personal Account #1 and made a \$562 cash
28 payment toward one of defendant NAVARRO's personal credit cards.

1 Overt Act No. 120: On July 1, 2020, defendant NAVARRO and
2 Individual A went to a Wells Fargo bank, and Individual A cashed
3 check 1243 for \$3,000, which defendant NAVARRO had written and
4 included "phone banking research" on the memo line of the check. At
5 defendant NAVARRO's direction, Individual A then gave \$3,000 cash to
6 defendant NAVARRO.

7 Overt Act No. 121: On July 1, 2020, defendant NAVARRO made two
8 cash deposits of \$2,400 and \$340, respectively, into Personal Account
9 #1.

COUNTS TWO THROUGH FOURTEEN

[18 U.S.C. §§ 1343, 2(a)]

[ALL DEFENDANTS]

A. THE SCHEME TO DEFRAUD

52. Beginning on a date unknown to the Grand Jury, but no later than on or about July 17, 2017, and continuing through on or about April 2, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendants OMAR NAVARRO, DORA ASGHARI, and ZACHARIAS DIAMANTIDES-ABEL ("ABEL"), each aiding and abetting the other, knowingly and with intent to defraud, devised, participated in, and executed a scheme to defraud the Campaign as to material matters, and to obtain funds from the Campaign and its donors by means of materially false and fraudulent pretenses, representations, and promises, and the concealment of material facts, affecting a financial institution.

53. The scheme to defraud operated, in substance, in the following manner:

a. Defendant NAVARRO would represent publicly and to donors that he was running a Campaign for Congress, which is subject to restrictions on how contributions may be spent.

b. Defendant NAVARRO would submit personal expenses to the Campaign for reimbursement claiming they were for Campaign purposes.

c. Defendant NAVARRO would issue checks, or cause checks to be issued, from the Campaign Account, to other individuals, including defendant ASGHARI, defendant ABEL, Individual A, and Individual B, purporting to be payments for work performed by such persons on behalf of the Campaign.

1 d. At defendant NAVARRO's direction, these other
2 individuals, including defendant ASGHARI, defendant ABEL, Individual
3 A, and Individual B, then would transfer all or a portion of the
4 payment back to defendant NAVARRO.

5 e. Defendant NAVARRO would issue checks, or cause checks
6 to be issued, from the Campaign Account, to Brava Consulting, which
7 was owned and operated by defendant ASGHARI, purporting to be
8 payments for work performed by the entity on behalf of the Campaign.

9 f. Defendants NAVARRO and ASGHARI would transfer or cause
10 to be transferred such payments from Brava Consulting to ON Strategic
11 Marketing, which defendant NAVARRO would then withdraw for his own
12 personal use and benefit.

13 g. Defendant NAVARRO would issue checks, or cause checks
14 to be issued, from the Campaign Account, to the United Latino
15 Foundation, describing the purpose of the contribution in FEC reports
16 as charitable donations.

17 h. Defendant NAVARRO then would transfer, or cause to be
18 transferred, such payments from United Latino Foundation to defendant
19 NAVARRO's personal bank accounts, on which defendant NAVARRO would
20 then withdraw for his own personal use and benefit.

21 i. Defendant NAVARRO would not report the pass-through
22 payments that he received from the Campaign as a salary to the FEC or
23 to his Campaign's donors and would instead cause Individual C to file
24 false reports with the FEC on defendant NAVARRO's behalf representing
25 that such payments were for work performed by others on behalf of the
26 Campaign.

27 j. Defendant NAVARRO would receive reimbursement from the
28 Campaign for his personal expenses, including meals with his

1 significant other, trips to Las Vegas, entertainment, and retail
2 purchases.

3 k. Defendant NAVARRO would use Campaign funds to acquire
4 gift cards on the basis that the gift cards purportedly were being
5 used for Campaign expenses, which he then would use to pay for
6 personal expenses.

7 l. Defendant NAVARRO would not report to the FEC or to
8 his Campaign donors that these payments were for personal expenses
9 and instead would cause Individual C and Individual G to file false
10 reports with the FEC on defendant NAVARRO's behalf representing that
11 such payments were for Campaign expenses.

12 m. Defendant NAVARRO would use an interstate wire to
13 communicate with Individual C, who was preparing reports for the FEC
14 and keeping books on behalf of the Campaign at defendant NAVARRO's
15 direction, and falsely represent the nature of expenses as Campaign-
16 related, when they were in fact personal.

17 n. At defendant NAVARRO's direction, Individual C would
18 use an interstate wire to transmit FEC reports containing the false
19 representations about the expenditure of the Campaign funds.

20 o. Defendants NAVARRO, ASGHARI, and ABEL, and others
21 acting at defendant NAVARRO's direction, would use an interstate wire
22 to withdraw money from the Campaign Account.

23 B. USE OF THE WIRES

24 54. On or about the dates listed below, in Los Angeles County,
25 within the Central District of California, and elsewhere, defendants
26 NAVARRO, ASGHARI, and ABEL, each aiding and abetting the other, for
27 the purpose of executing the above-described scheme to defraud,
28

caused the transmission of a wire communication in interstate
commerce, namely:

COUNT	DEFENDANT (S)	DATE	WIRE
TWO	NAVARRO, ASGHARI	11/7/18	A \$3,000 withdrawal from the Campaign Account through check 1072 addressed to defendant ASGHARI
THREE	NAVARRO	4/1/19	A \$4,000 withdrawal from the Campaign Account through check 1006 addressed to Individual A
FOUR	NAVARRO	4/24/19	A \$3,000 withdrawal from the Campaign Account through check 1021 addressed to Individual A
FIVE	NAVARRO, ABEL	4/30/19	A \$3,000 withdrawal from the Campaign Account through check 1016 addressed to defendant ABEL
SIX	NAVARRO	5/22/19	A \$2,000 withdrawal from the Campaign Account through check 1017 addressed to Individual A
SEVEN	NAVARRO, ABEL	6/26/19	A \$2,000 withdrawal from the Campaign Account through check 1020 addressed to defendant ABEL
EIGHT	NAVARRO, ASGHARI	9/3/19	A \$2,400 withdrawal from the Campaign Account through check 1003 addressed to defendant ASGHARI
NINE	NAVARRO	9/20/19	A \$1,100 withdrawal from the Campaign Account through check 1253 addressed to Individual B
TEN	NAVARRO	10/22/19	A \$1,200 withdrawal from the Campaign Account through check 1202 addressed to Individual B
ELEVEN	NAVARRO, ASGHARI	11/18/19	A \$2,500 withdrawal from the Campaign Account through check 1263 addressed to defendant ASGHARI
TWELVE	NAVARRO, ASGHARI	12/3/19	A \$3,000 withdrawal from the Campaign Account through check 1204 addressed to defendant ASGHARI

COUNT	DEFENDANT (S)	DATE	WIRE
THIRTEEN	NAVARRO, ASGHARI	12/11/19	A \$2,500 withdrawal from the Campaign Account through check 1206 addressed to defendant ASGHARI
FOURTEEN	NAVARRO, ASGHARI	1/7/20	A \$3,000 withdrawal from the Campaign Account through check 1201 addressed to defendant ASGHARI

COUNTS FIFTEEN THROUGH TWENTY-EIGHT

[18 U.S.C. §§ 1519, 2(a), 2(b)]

[ALL DEFENDANTS]

55. On or about the dates listed below, within the Central District of California, and elsewhere, defendants OMAR NAVARRO, DORA ASGHARI, and ZACHARIAS DIAMANTIDES-ABEL, each aiding and abetting the other, knowingly concealed, covered up, falsified, and made a false entry in, and willfully caused to be concealed, covered up, falsified, and made a false entry in, the record and document listed below with the intent to impede, obstruct, and influence the investigation and proper administration of matters within the jurisdiction of the Federal Election Commission and the Federal Bureau of Investigation, and in relation to and in contemplation of such matters:

COUNT	DEFENDANT (S)	DATE	FEC FORM 3 REPORT OF RECEIPTS AND DISBURSEMENTS
FIFTEEN	NAVARRO	10/15/18	2018 October Quarterly Report (FEC Form 3)
SIXTEEN	NAVARRO	10/25/18	2018 Pre-General Report (FEC Form 3)
SEVENTEEN	NAVARRO	12/6/18	2018 Post-General Report (FEC Form 3)
EIGHTEEN	NAVARRO	4/15/19	2019 April Quarterly Report (FEC Form 3)
NINETEEN	NAVARRO	7/15/19	2019 July Quarterly Report (FEC Form 3)
TWENTY	NAVARRO	7/15/19	2019 Amended April Quarterly Report (FEC Form 3)
TWENTY-ONE	NAVARRO	9/19/19	2018 Amended Year-End Report (FEC Form 3)

COUNT	DEFENDANT (S)	DATE	FEC FORM 3 REPORT OF RECEIPTS AND DISBURSEMENTS
TWENTY- TWO	NAVARRO ASGHARI	9/19/19	2018 Amended Post-General Report (FEC Form 3)
TWENTY- THREE	NAVARRO	9/19/19	2018 Amended Pre-General Report (FEC Form 3)
TWENTY- FOUR	NAVARRO ABEL	9/19/19	2018 Amended October Quarterly Report (FEC Form 3)
TWENTY- FIVE	NAVARRO ABEL	9/23/19	2019 Amended July Quarterly Report (FEC Form 3)
TWENTY- SIX	NAVARRO	9/23/19	2019 Second Amended April Quarterly Report (FEC Form 3)
TWENTY- SEVEN	NAVARRO ASGHARI	10/15/19	2019 October Quarterly Report (FEC Form 3)
TWENTY- EIGHT	NAVARRO ASGHARI	2/2/20	2019 Year-End Report (FEC Form 3)

COUNTS TWENTY-NINE THROUGH FORTY

[18 U.S.C. §§ 1519, 2(a)]

[DEFENDANTS NAVARRO AND ASGHARI]

56. On or about the dates listed below, within the Central District of California, and elsewhere, defendants OMAR NAVARRO and DORA ASGHARI, each aiding and abetting the other, knowingly concealed, covered up, falsified, and made a false entry in the record, document, and tangible object listed below with the intent to impede, obstruct, and influence the investigation and proper administration of matters within the jurisdiction of the Federal Election Commission and the Federal Bureau of Investigation, and in relation to and in contemplation of such matters:

COUNT	DEFENDANT (S)	DATE	DESCRIPTION
TWENTY-NINE	NAVARRO	4/1/19	Check 1006 from the Campaign Account to Individual A for \$4,000 with description "assistant" in the memo line
THIRTY	NAVARRO	4/24/19	Check 1021 from the Campaign Account to Individual A for \$3,000 with description "website modifaction" [sic] in the memo line
THIRTY-ONE	NAVARRO	4/26/19	Check 1009 from the Campaign Account to Brava Consulting for \$3,000 with description "direct mail post cards" in the memo line
THIRTY-TWO	NAVARRO	4/30/19	Check 1016 from the Campaign Account to defendant ABEL for \$3,000 with description "assistant 3/14 4/14" in the memo line
THIRTY-THREE	NAVARRO	5/22/19	Check 1017 from the Campaign Account to Individual A for \$2,000 with description "literature distribution" in the memo line

COUNT	DEFENDANT (S)	DATE	DESCRIPTION
THIRTY-FOUR	NAVARRO	6/3/19	Check 1022 from the Campaign Account to Brava Consulting for \$2,000 with description "2 nd mailing" in the memo line
THIRTY-FIVE	NAVARRO	6/5/19	Check 3002 from the Campaign Account to Individual A for \$2,500 with no description in the memo line
THIRTY-SIX	NAVARRO	6/10/19	Check 1003 from the Campaign Account to the United Latino Foundation for \$2,000 with no description in the memo line
THIRTY-SEVEN	NAVARRO	9/20/19	Check 1202 from the Campaign Account to Individual B for \$1,100 with description "paid walking" in the memo line
THIRTY-EIGHT	NAVARRO ASGHARI	12/11/19	Check 1206 from the Campaign Account to defendant ASGHARI for \$2,500 with no description in the memo line
THIRTY-NINE	NAVARRO	6/29/20	Check 1025 from the Campaign Account to Individual A for \$4,000 with the description "phone calls/logistical support" in the memo line
FORTY	NAVARRO	7/1/20	Check 1243 from the Campaign Account to Individual A for \$3,000 with the description "phone banking research" in the memo line

COUNT FORTY-ONE

[52 U.S.C. §§ 30109(d), 30114(b)(1)]

[DEFENDANT NAVARRO]

57. In the calendar year 2018, within the Central District of California, and elsewhere, defendant OMAR NAVARRO knowingly and willfully converted \$25,000 and more of Campaign funds to his personal use by using them to fulfill personal commitments, obligations, and expenses that would have existed irrespective of defendant NAVARRO's election campaign or duties as a holder of federal office.

COUNT FORTY-TWO

[52 U.S.C. §§ 30109(d), 30114(b)(1)]

[DEFENDANT NAVARRO]

58. In the calendar year 2019, within the Central District of California, and elsewhere, defendant OMAR NAVARRO knowingly and willfully converted \$25,000 and more of Campaign funds to his personal use by using them to fulfill personal commitments, obligations, and expenses that would have existed irrespective of defendant NAVARRO's election campaign or duties as a holder of federal office.

COUNT FORTY-THREE

[52 U.S.C. §§ 30109(d), 30114(b)(1)]

[DEFENDANT NAVARRO]

59. In the calendar year 2020, within the Central District of California, and elsewhere, defendant OMAR NAVARRO knowingly and willfully converted \$25,000 and more of Campaign funds to his personal use by using them to fulfill personal commitments, obligations, and expenses that would have existed irrespective of defendant NAVARRO's election campaign or duties as a holder of federal office.

FORFEITURE ALLEGATION

[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), in the event of any defendant's conviction of the offenses set forth in any of Counts One through Fifteen of this First Superseding Indictment.

2. Any defendant so convicted shall forfeit to the United States of America the following:

(a) all right, title, and interest in any and all property, real or personal, constituting, or derived from, any proceeds traceable to the offenses; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), any defendant so convicted shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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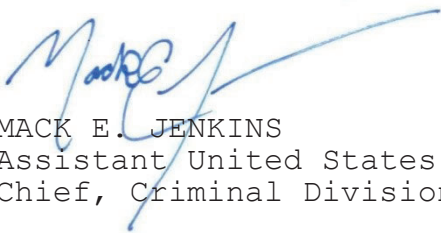
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substantially diminished in value; or (e) has been commingled with other property that cannot be divided without difficulty.

A TRUE BILL

/s/
Foreperson

E. MARTIN ESTRADA
United States Attorney



MACK E. JENKINS
Assistant United States Attorney
Chief, Criminal Division

LINDSEY GREER DOTSON
Assistant United States Attorney
Chief, Public Corruption
and Civil Rights Section

CASSIE D. PALMER
Assistant United States Attorney
Deputy Chief, Public Corruption
and Civil Rights Section

FRANCES S. LEWIS
Assistant United States Attorney
Public Corruption and Civil
Rights Section

THOMAS RYBARCZYK
Assistant United States Attorney
Public Corruption and Civil
Rights Section